

ANALYSIS OF ORIGINAL BILL

Franchise Tax Board

Author: Shelley Analyst: Roger Lackey Bill Number: AB 1234
Related Bills: See Legislative History Telephone: 845-3627 Introduced Date: 02-26-99
Attorney: Doug Bramhall Sponsor: _____

SUBJECT: State Bodies/Open Meetings/Make Available On Internet & Provide Website Address In Written Notices

SUMMARY

This bill would amend the Bagley-Keene Open Meetings Act to provide that a state body shall provide notice of its meetings, certain findings of special meetings, and the minutes from emergency meetings on the Internet.

EFFECTIVE DATE

This bill would be effective on January 1, 2000.

LEGISLATIVE HISTORY

SB 74, SB 143 (97/98), SB 323 (95/96), SB 95 (93/94)

SPECIFIC FINDINGS

Currently, the Bagley-Keene Open Meetings Act requires that notice of regular meetings of a state body be given to any person who requests the notice in writing. Notice must be provided at least 10 days in advance of the meeting and include a contact person to obtain additional information regarding the meeting.

In addition, **state law** requires that the state body provide notice of a special meeting to each member of the state body and to any individuals who have requested notice of the state body's meeting. Also, the state body shall inform the general public by placing the notice in newspapers, on radio and television, and, if capable, on an electronic bulletin board. The notice shall be made at least 48 hours before the time of the special meeting.

Special meetings may only be called where compliance with the 10-day notice for meetings of the state body would impose a substantial hardship or where the immediate action is required to protect the public interest. At the commencement of the special meeting, the members of the state body must vote in open session to find if substantial hardship or public interest necessitated this meeting of the state body. Failure to adopt the finding terminates the meeting.

For emergency situations involving matters, upon which prompt action is necessary due to the disruption or threatened disruption of public facilities, **state law** permits a state body to hold an emergency meeting without complying with the 10-day or 48-hour notice requirements. However, the presiding officer of the state body must provide the media that have requested notice of meetings of the state body one-hour notice of the emergency meeting.

Board Position:

_____ S	_____ NA	_____ NP
_____ SA	_____ O	_____ NAR
_____ N	_____ OUA	_____ X PENDING

Department Director

Date

Gerald Goldberg

4/14/1999

This bill would require that notice of a meeting or notice of a special meeting be provided on the Internet and that the written notice include the website address where notices regarding a state body meeting are posted on the Internet.

This bill would eliminate existing law regarding posting notice of a special meeting on an electronic bulletin board.

This bill would require that a state body's finding that the scheduling was necessitated by substantial hardship or public interest, be placed on the Internet.

In addition, **this bill** would provide that, in the case of an emergency meeting, notice would be provided on the Internet as soon as practicable. Also, **this bill** would require that the minutes for an emergency meeting be made available on the Internet for a minimum of 10 days.

Implementation Considerations

Implementing this bill would not significantly impact the department's programs and operations.

FISCAL IMPACT

Departmental Costs

This bill would not significantly impact the department's costs.

Tax Revenue Estimate

This bill would not impact the state's income tax revenue.

BOARD POSITION

Pending.